

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LAWRENCE WATKINS,	)	
	)	
Plaintiff,	)	4:05cv3094
	)	
vs.	)	ORDER
	)	
JO ANN KINNEY, et al.,	)	
	)	
Defendants.	)	

This matter is before the court on filing no. 41, the defendants' Motion for Summary Judgment. The plaintiff shall respond to the defendants' motion by no later than March 14, 2006, by filing a brief and any available evidentiary support for the claims asserted by the plaintiff in his complaint. In the absence of a timely response, this action may be subject, without further notice, to dismissal, without prejudice, as abandoned and for lack of prosecution. See NECivR 41.1, which states in pertinent part: "At any time when it appears that any action is not being prosecuted with reasonable diligence the court may dismiss it for lack of prosecution."

IT IS THEREFORE ORDERED:

1. That by **March 14, 2006**, the plaintiff shall file a brief and any available evidentiary support for his claims in response to the defendants' Motion for Summary Judgment; and

2. That in the absence of a timely response by the plaintiff to the defendants' motion, this action may be subject, without further notice, to dismissal without prejudice, as abandoned and for lack of prosecution.

DATED this 14<sup>th</sup> day of February 2006.

BY THE COURT:

s/ F. A. GOSSETT  
United States Magistrate Judge